

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Thomas P. Hartness, et al.)	Examiner: Peter T. DeVore
Serial No.: 10/650,490)	Group Art Unit: 3751
Filed: August 28, 2003)	Our Customer ID: 22827
Confirmation No.: 6976)	Our Account No. 04-1403
For: Circular Motion Filling Machine And Method)	

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents U.S. Patent and Trademark Office Post Office Box 1450 Alexandria, VA 22313-1450

Sir:

The attached Information Disclosure Statement is submitted for the Examiner's consideration in accordance with the Applicants' duty of disclosure. Although the documents provided in this Information Disclosure Statement are submitted for the Examiner's convenience, Applicants do not admit of their relevance as prior art to the present application under 35 U.S.C. §102 and §103 nor of their pertinence in other respects.

The Examiner is encouraged to contact the undersigned at his/her convenience should he/she have any questions regarding this matter or require any additional information.

Respectfully submitted,

DORITY & MANNING, ATTORNEYS AT LAW, P.A.

Date: March 28, 2005

Jeffre M. Karmilovich

Reg. No.: 35,915 Post Office Box 1449

Greenville, SC 29602-1449 Telephone: (864) 271-1592 Facsimile: (864) 233-7342

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT

In re Application of:

Thomas P. Hartness, et al.

Attorney Docket No:

Serial No: 10/650,490

Date: March 28, 2005

Filed: August 28, 2003

Art Unit: 3751

Confirmation No: 6976

Our Customer ID: 22827

Title: Circular Motion Filling Machine And Method

Our Account No: 04-1403

Commissioner for Patents U.S. Patent and Trademark Office Post Office Box 1450 Alexandria, VA 22313-1450

Sir:

The following is an Information Disclosure Statement for the captioned patent application, pursuant to 37 CFR Sections 1.56, 1.97, and 1.98.

- 1.[X] Attached hereto is:
 - a.[X] A list of materials for consideration per Rule 98(a)(1): 1 page(s)
 - A legible copy of each patent, publication, or other item listed per Rule 98(1)(2), unless not required per Rule 98 and/or as indicated on the attached list(s): 90__ item(s)
 - c.[X] For each non-English language item listed, pursuant to Rule 98(a)(3), a concise explanation of the relevance thereof as it is presently understood by the individual designated in Rule 56(c) most knowledgeable about the content of such items: Please see Figures of French language reference; it is understood that the Figures show a container conveyor.
 - [] Such explanation is provided in the Search Report from a corresponding application enclosed herewith along with any enclosed translation into English.
- 2.[x] This Information Disclosure Statement is being filed [CHECK ONE]:
 - WITHIN THREE MONTHS of the application filing date, national stage date of entry, or along with or after a request for continued examination, OR BEFORE the mailing date of a first Office Action on the merits, which ever event occurs last, WHEREFORE per Rule 97(b) NO filing fee or Rule 97(e) certificate is required.
 - AFTER the time periods of section 2.a above, but BEFORE a Final Action, Notice of Allowance OR an b.[] action that otherwise closes prosecution, WHEREFORE PER Rule 97(c) submitted herewith is [CHECK ONE]:
 - i.[] Certification per Rule 97(e); OR
 - ii[]
 - AFTER a Final Action OR Notice of Allowance, but BEFORE payment of the issue fee, WHEREFORE c.[] per Rule 97(d) submitted herewith is:
 - i. Certification per Rule 97(e); AND
 - Filing fee per Rule 17(p).....\$180.00 ii.
- Rule 97(e) Certification; per Rule 97(e), the undersigned certifying party make the following certification 3.[] statement [CHECK ONE]:
 - That each item of information contained in this Information Disclosure Statement was first cited in a a.[] communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; OR
 - That no item of information contained in this Information Disclosure Statement was cited in a foreign h[]

		being made by signer per signature below). Name: Address:	Signature: Date:
4.[x]	have l (defic or cre	OSIT ACCOUNT AUTHORIZATION: The Concerning authorized hereafter, or any fees in additional filed herewith or concerning any paper file iency only) now or hereafter relative to this app	ommissioner is hereby authorized to charge any fee on to the fee(s) filed, or asserted to be filed, or which should dhereafter, and which may be required under Rules 16-18 lication and the resulting official document under Rule 20, a in the heading hereof for which purpose a duplicate copy of the feeding hereof for which purpose a duplicate copy of the feeding hereof for which purpose a duplicate copy of the feeding hereof for which purpose a duplicate copy of the feeding hereof for which purpose a duplicate copy of the feeding hereof feeding hereoffeed hereoffe
5.[x]	CERT COM	TFICATE OF MAILING: This Information Dis PLETE ONE]:	sclosure Statement is being filed pursuant to [CHECK AND
	a.[X]	First Class Mail Certificate of Mailing under	Rule 8:
		I hereby certify that this correspondence and a with the United States Postal Service as first c	any referenced attachment and/or fee are being deposited class mail in an envelope addressed to the:
		Commissioner for Patents U.S. Patent and Trademark Office Post Office Box 1450 Alexandria, VA 22313-1450	
		on March 28, 2005.	
		Joan Behm (Typed/printed name of person mailing paper	,
		(Signature of person mailing paper or fee)	
	b.[]	"Express Mail" Certificate under Rule 10:	
		"Express Mail" - Label No Date of Deposit	
		I hereby certify that this paper and all attachme Service "Express Mail Post Office to Addresse and is addressed to the:	ents and any fee are being deposited with the U.S. Postal ee" service under 37 CFR 1.10 on the date indicated above
		Commissioner for Patents U.S. Patent and Trademark Office Post Office Box 1450 Alexandria, VA 22313-1450.	• ,
		(Typed/printed name of person mailing paper of	or fee)
		(Signature of person mailing paper or fee)	
DDRE	ESS:		DORITY & MANNING, P.A.
	fice Box		By: Jeffrey M. Karmilovich
elepho	ne: 864	th Carolina 29602 271-1592 233-7342	Reg. No: 35,915 Signature: W
			Date: March 28 2005

		CERTIFYING PARTY (if different from bottom being made by signer per signature below). Name:	n signature; omission here indicates that certification is Signature:
		Address:	Date:
4.[x]	specific have be (deficie or cred this she	SIT ACCOUNT AUTHORIZATION: The Compally authorized hereafter, or any fees in addition the filed herewith or concerning any paper filed bency only) now or hereafter relative to this application it any overpayment, to our Account No. shown is the statement does not authorize the statement does not	
5.[x]	CERT	FICATE OF MAILING: This Information Disc LETE ONE]:	losure Statement is being filed pursuant to [CHECK AND
	a.[X]	First Class Mail Certificate of Mailing under R	ule 8:
٠.		I hereby certify that this correspondence and ar with the United States Postal Service as first cl	ny referenced attachment and/or fee are being deposited ass mail in an envelope addressed to the:
		Commissioner for Patents U.S. Patent and Trademark Office Post Office Box 1450 Alexandria, VA 22313-1450	COPY
		on March 28, 2005.	
		Typed/printed name of person mailing paper (Signature of person mailing paper or fee)	or fee)
	b.[]	"Express Mail" Certificate under Rule 10:	
		"Express Mail" – Label No Date of Deposit	·
		I hereby certify that this paper and all attachm Service "Express Mail Post Office to Address and is addressed to the:	ents and any fee are being deposited with the U.S. Postal ee" service under 37 CFR 1.10 on the date indicated above
٠		Commissioner for Patents U.S. Patent and Trademark Office Post Office Box 1450 Alexandria, VA 22313-1450.	
		(Typed/printed name of person mailing paper	or fee)
		(Signature of person mailing paper or fee)	
ADI	ORESS:		DORITY & MANNING, P.A.
Gree Tele	enville, S phone:	30x 1449 South Carolina 29602 864-271-1592 864-233-7342	By: Jeffrey M. Karmilovich Reg. No: 35,915 Signature:
			Date:March 28, 2005

:

Information Disclosure Statement List
By Applicant(s)
Under 37 CFR Section 1.98(a) (1)
(Use several sheets if necessary)

Attorney Docket Number:
HII-103
10/650,490

Applicant: Thomas P. HARTNESS, et al.

Filing Date: August 28, 2003

Group Art Unit: 3751

Confirmation No: 6976

NOTE:

If no indication is made in the column marked "COPY NOTE," the required legible copy of the corresponding item is submitted herewith; otherwise, a copy is not required and/or not submitted, for the following reason(s) [corresponding reason number is listed in "COPY NOTE" column]"

(1) This item is cumulative, per Rule 98(c)

(2) A copy of this item was previously cited by or submitted to the U.S. Patent and Trademark Office in:

USSN _______, filed ______, or USSN ______, filed ______;

Relied on under 35 U.S.C. Section 120, per Rule 98(d)

(3) Both reasons (1) and (2) apply

(4) No legible complete copy is possessed, in custody of controlled, or readily available

(5) Per the U.S. Patent and Trademark Office's waiver of Rule 98(a)(2)(i), the item is a U.S. patent or patent application publication, and the present application was filed after June 30, 2003.

EXAMINER	PATENTEE NAME	PA'	TENT	NUI	MBE	R			ISSUE DATE	COPY
INITIALS									Dille	****
	Jensen		9	8	9	5	4	6	04/1911	5
	Wood, et al.	1	0	7	2	2	9	0	09/1913	5
	Ayars	ī	0	7	3	0	6	7	09/1913	5
	Harrison	1	4	8	1	2	5	9	01/1924	5
	McCarty, et al.	1	5	3	8	4	0	6	05/1925	5
	Akins, et al.	1	5	8	3	7	6	7	05/1926	5
	Knott	1	6	3	6	4	2	1	07/1927	5
	Gaynor	1	9	3	3	5	5	1	11/1933	5
	Tevander	1	9	4	2	8	8	5	01/1934	5
	Cattonar, et al.	12	2	7	7	6	8	8	03/1942	5
	Milek	12	3	5	0	6	9	2	06/1944	5
	Vogt	2	6	7	1	5	8	8	03/1954	5
	Enock	- -	7	3	0	2	7	9	11/1951	5
	Okulitch, et al.	1 2	7	6	0	3	1	6	08/1956	5
	Day, et al.	$\frac{1}{2}$	8	9	0	5	5	3	06/1959	5
	Seval	2	9	2	1	4	2	5	01/1960	5
	Cannon, Jr.	1 2	9	12	8	6	9	3	03/1960	5
	Sandrock	3	0	1	2	8	1	1	12/1961	5
	Pellerino, et al.	3	1	6	8	1	2	3	02/1965	5
	Tiews	3	5	0	5	7	8	7	04/1970	5
	Anglade, Jr.	3	5	5	3	9	2	7	01/1971	5
	Rowekamp	3	15	5	3	9	3	2	01/1971	5
	Rowekamp	3	5	15	5	7	7	0	01/1971	5
	Rowekamp	3	5	5	5	7	7	3	01/1971	5
	Raudat, et al.	3	6	4	8	4	2	7	03/1972	5
-	Taylor, et al.	3	6	5	6	5	1	7	04/1972	5
	Schlueter, et al.	3	7	2	7	3	6	6	04/1973	5
	Boeckmann, et al.	3	7	17	1	2	8	4	11/1973	5
	Kawamura, et al.	3	8	0	5	4	7	6	04/1974	5
	Moore	3	8	2	5	9	8	0	07/1974	5
	Hartness, et al.	3	8	5	6	0	5	9	12/1974	5
	Ullman	3	8	6	4	8	9	0	02/1975	5
	Cinian	- -	+		+-	1	+ -	+=-	02/1076	

(Rev. 5/92)

Information Disclosure Statement List

By Applicant(s)

Under 37 CFR Section 1.98(a) (1)

WSP several sheets if necessary)

APR © 1 2005

Attorney Docket Number:

HII-103

Applicant: Thomas P. HARTNESS, et al.

Filing Date: August 28, 2003

Group Art Unit: 3751

Confirmation No: 6976

	McDonald, et al.	3	9	5	8	6	8	5	05/1976	5
	McGill	3	9	7	1	1	9	0	07/1976	5
	Reichert	4	0	5	5	9	4	3	11/1977	5
	Hartness, et al.	4	1	2	6	1	6	3	11/1978	5
 -	McGill	4	1	6	9	6	2	1	10/1979	5
	Hartness	4	2	1	5	5	2	1	08/1980	5
	Polderman	4	2	9	1	7	3	3	09/1981	5
	Winiasz, et al.	4	2	9	4	0	5	7	10/1981	5
	Hartness	4	3	0	0	3	3	0	11/1981	5
	Simon	4	3	2	0	9	1	4	03/1982	5
	Raudat	4	4	4	6	6	7	2	05/1984	5
	Krishnakumar, et al.	4	4	8	3	4	3	6	11/1984	5
	Lemair, Didier	4	5	2	8	7	9	6	07/1985	5
	McGill, et al.	4	5	4	1	5	2	4	09/1985	5
-	Mazzorana	4	5	5	3	4	4	2	11/1985	5
		4	5	6	7	9	1	9	04/1986	5
	Fogg, et al.	4	5	8	5	3	6	9	04/1986	5
	Manesse, et al. Hartness, et al.	4	5	8	7	7	9	2	05/1986	5
	Weiss	4	6	5	5	0	2	9	03/1986	5
		4	7	2	3	6	4	9	02/1988	5
	Hartness, et al.	4	8	8	8	9	3	6	12/1989	5.
	Takahama, et al.	5	1	7	4	4	3	0	12/1989	5
	Ebira	5	2	1	2	9	3	0	05/1993	5
	Raudat	5	2	1	9	4	0	5	06/1993	5
	Weiss	5	2	5	7	8	8	8	11/1993	5
	Kronseder			9	5	5	1	7	03/1994	5
	Ahlers	5	3	1	3	7	6	4	05/1994	5
-	Kronseder			_	_				03/1994	5.
	Domeier, et al.	5	4	8	7	2	5	7		
	Weiss	5	5	0		2	5	3	03/1996	5
	Ahlers	5	5	3	3	5	5	2	07/1996	5
	Savigny, et al.	5	5	5	5	2	0	9	09/1996	5
	Hartness			8	8		8		12/1996	
	Neukam	5	7	0	1	7	1	9	12/1997	5
	Lashyro, et al	5	7	2	7	3	6		03/1998	
	Hartness	5	7	9	7	2	4	9	08/1998	5
	Benz	5	8	6	2	6	4	9	01/1999	5
	Weiss	5	8	6	5	2	2	5	02/1999	5
	Häring, et al.	5	8	9	6	9	0	0	04/1999	5
	Persenaire, et al.	5	9	7	5	1	5	9	11/1999	5
	Goodman	6	0	0	3	2	8	6	12/1999	5
<u> </u>	Klarl	6	0	2	6	8	6	7	02/2000	5
	Achhammer	6	1	8	5	9	1	0	02/2001	5
	Powers	6	2	0	9	2	9	3	04/2001	5
	Amborn, et al.	6	2	6	9	6	1	.5	08/2001	5
	Fluck	6	2	8	6	2	9	0	09/2001	5
	Pickel, et al.	6	3	5	4	4	2	7	03/2002	5
	Schwenke	6	3	9	3	8	0	0	05/2002	5
	Wiernicki, et al.	6	5	7	1	5	3	2	06/2003	5
	Hartness	6	6	1	2	0	9	5	09/2003	5
1	Hartness	6	7_	2	2	1	0	1	04/2004	5

(Rev. 5/92)

Information Disclosure Statement List

By Applicant(s)

Under 37 CFR Section 1.98(a) (1)

(Use several sheets if necessary)

Filing Date: August 28, 2003

Confirmation No: 6976

FOREIGN PAT	TENT DOCUM	1EN	TS											
EXAMINER INITIALS	COUNTRY	DO	CU	JMI	ENT	'NU	JMI	BER		PUBLICATION DATE	TRAN	VSLA	TION	COPY NOTE
											YES	NO	N/A	
	DE	4	2	1	6	7	2	1		11/1993	X			
	GB	5	1	3	2	6	0			10/1939			X	
	FR	1	1	9	5	5	5	0	Α	11/1959		X		

EXAMINER	EXAMINER OTHER DOCUMENTS						
INITIALS	Specify author (if any), Title, Pertinent Pages,	NOTE					
	Hartness, et al. U.S. Patent App. No. US 2003/0037514; Circular Motion Filling Machine For Processing Parallel Rows Of Containers And Method	02/27/2003	5				
	Hartness, et al. U.S. Patent App. No. US 2003/0106288; Continuous Circular Motion Case Packing And Closure Apparatus And Method	06/12/2003	5				
	Int'l Search Report and Written Opinion for PCT/US2004/08506	10/19/2004					
EXAMINER DATE CONSIDERED							
Examiner:	initial if citation considered, whether or not citati draw line through citation if not in conformance a this form with the next communication to applica	and not considered. Include a o	EP 609; copy of				